

ADDRESS TO THE ETHNIC COMMUNITIES' COUNCIL OF VICTORIA
ANNUAL GENERAL MEETING
27 NOVEMBER 2007

**TITLED: REFLECTION ON THE 1967 REFERENDUM AND THE
COMMISSIONER'S *MULTICULTURALISM POSITION PAPER***

On 27 November, National Race Discrimination Commissioner and Aboriginal and Torres Strait Islander Social Justice Commissioner, Tom Calma, delivered the following speech to the Annual General Meeting of the Ethnic Communities' Council of Victoria. Commissioner Calma spoke about the continuing struggle, some 40 years after the 1967 Referendum, to improve the rights and living conditions of Aboriginal and Torres Strait Islander peoples. He also spoke about the future of multiculturalism and the need for a policy framework that ensures that the rights of people from racially and culturally diverse backgrounds are upheld

Good evening distinguished guest, ladies and gentleman. Friends, I would like to begin by acknowledging the traditional owners of the land on which we meet today, the Wurundjeri people of the Kulin Nations.

Can I also thank, Chairperson Phong Nguyen and the Ethnic Communities' Council of Victoria for inviting me to speak at your AGM. And I acknowledge the presence of Ms Voula Messimeri the Chairperson of Federation of Ethnic Communities' Council of Australia. It is a privilege and an honour to be speaking with you this evening on issues close to my heart – Indigenous affairs and multiculturalism.

As many of you are aware, in addition to being the Aboriginal and Torres Strait Islander Social Justice Commissioner I am also the acting national Race Discrimination Commissioner. Juggling the demands of the two positions can be difficult and at times overwhelming. However, I believe that the mandates of the two positions, to advance justice and equality, are inseparable.

In both positions I work to address the concerns, the rights and the needs of two categories of people who have been affected the most by colonisation, wars and patterns of migrations. In so doing I have had the privilege of working with those who are displaced and dispossessed in their land and those who were displaced and dispossessed of their lands. In some way, colonisation has turned our Indigenous peoples into refugees in our own land. This is definitely one of the most excruciating fates; one that cannot be simply expressed in language or codified in legislation.' As an Indigenous man I too can empathise with the plight of many of my ethnic brothers and sisters as a "minority" and as "the recipient of racism".

I would like to start tonight by reflecting on the fate of Indigenous people some 40 years after the 1967 Referendum. Importantly, the overwhelming support for the 1967 Referendum gave the Commonwealth government the power and

responsibility to address the catastrophic conditions under which Aboriginal people lived.

However, in my opinion the Referendum only 'half-worked' in certain fields but not enough to achieve the referendum's implied promise of equality. We can sum up the experience of the past forty years in one sentence: Indigenous peoples have not benefited from the gains of the past forty years in an equal manner to all other Australians. The challenge of improving Indigenous disadvantage in relation to health, education, housing and employment, remains.

As you are aware, the most recent exercise of the power that the Commonwealth gained over Indigenous people in 1967 was its intervention in the Northern Territory.

What concerns me about the intervention and this exercise of Commonwealth power is a) the suspension of the Racial Discrimination Act, 1975, and b) that Indigenous communities were again bypassed and circumvented in matters pertaining to our very existence and survival. From a human rights perspective, governments must ensure that Indigenous people, and in fact all peoples of society, have the opportunity to participate effectively in all aspects of policy development and service delivery that impact upon their communities and we must have legislative protection through the Racial Discrimination Act.

The right to effective participation underlies all the other rights pertaining to Indigenous people including self-determination, non-discrimination, equality before the law, minority rights and cultural rights. It is also a right set out in the *Declaration on the Rights of Indigenous Peoples* that was adopted by the UN General Assembly in September 2007.

After 40 years, the challenges and the tasks ahead for all of us are:

1. The protection of Indigenous people's alienable rights.
2. Addressing the gross social and economic inequalities that exist between Indigenous and non-Indigenous Australians. And finally,
3. Ensuring Indigenous peoples' voices are heard by Australian governments, and that we can participate effectively in decisions that affects us - at the federal, state, regional and community level.

This is just one front that I have been working on to ensure that all Australian communities and individuals enjoy racial equality.

In launching my position paper on multiculturalism a few months back, I gave voice to another social justice issue that Australia is grappling with at the moment. As the paper makes clear, in my view, multiculturalism provides a dignified, equitable and just ethos for fostering harmonious relations between the many different ethnic, racial and religious groups that live in Australia today. As a policy of community harmony it has worked well over the past two decades, replacing the failed policy of assimilation which, as you recall, decimated Indigenous communities and alienated ethnic communities.

Multiculturalism under the current circumstances needs to be reaffirmed and reinvigorated so that it can meet the new challenges that an increasingly culturally diverse society continues to present.

Yet, despite the unique effectiveness and achievements of multiculturalism in Australia, there has been increasing ambivalence and at times, antagonism towards it, both as a set of norms or ethical principles and as a government policy that frames social relations in Australia.

For instance, following the London attacks and the Cronulla riots in 2005, some politicians and media commentators claimed that multiculturalism was to blame. The logic they applied went something like this:

- Multiculturalism gives people the freedom to enjoy and practice their own culture and religion
- Some cultures and religions are not compatible with the core values of Australian society.
- And because of this incompatibility between cultures and beliefs within Australia there is an erosion of social stability and national cohesion, and this instability and lack of cohesion manifests in events like the Cronulla riot, and those taking place in other countries throughout the world.

Against this argument, multiculturalism puts forward an alternative logic. One that I think is far more conducive to social stability and cohesion.

This logic starts with the statement that “showing respect for each other’s culture, religion and race is a core universal value and is fundamental to our democratic principles in Australia”.

Instability is caused, not through a diversity of people from different cultures and religions living together as citizens of Australia; but rather, instability is caused when racial and religious intolerance are allowed to govern relationships between diverse groups.

Fuelled by fear and insecurity, *racial prejudice* turns into racial hatred, and resentment turns into violence. In order to break this cycle of prejudice and fear and to reinstate social stability, we need our leaders to commit to a policy which puts respect and tolerance at the top of the agenda.

Another argument we hear against multiculturalism is that the word ‘multiculturalism’ is inadequate and should be dropped from governmental use because of the ambiguity, and the confusion, it creates.

While some argue that removing the word multiculturalism would not necessarily have an impact on the substance of the policy, in my view, words matter a great deal. The word ‘multiculturalism’ is imbued with meaning, visions and ideals.

As the National Multicultural Advisory Council reported in 1999 *'the term 'multiculturalism' has served the Australian community well and best describes our positive acceptance of the reality of cultural diversity and a proactive approach to addressing the challenges and opportunities arising from it'*.

Further, the federal government's policy entitled; *New Agenda for Multicultural Australia*, covered the years 2003 - 2006. In 2005 the department conducted a review of this policy and HREOC, like other organisations and community groups, made submissions to this review. Yet, following this review, there has been no policy statement to affirm the then government's commitment to multiculturalism. As my position paper makes clear, this policy vacuum needed to be filled and this was what prompted me to act when I did.

Let me summarize my understanding of multiculturalism, as set out in my position paper.

Relying broadly on the work of Christine Inglis, we can trace three overlapping uses of the term multiculturalism.

- First, multiculturalism as a social reality and as a way of life.

Australia is one of the most diverse nations on earth. Australians speak some 364 languages, of which 170 are Indigenous languages and between 1996 and 1998, 52% of marriages in Australia were 'mixed' in the sense that they involved people from different countries of origin, and 43% of Australians have had one or both parents born overseas.

- Second, multiculturalism as a set of norms which affirms diversity and equality over a homogenous society. In this instance, multiculturalism is a subset of the larger debate about the true ideals of a democratic society.

- Third, multiculturalism as a public policy that aims to support and derive benefit from the social reality of cultural diversity by ensuring equity and access to the economic, social and cultural capital of our contemporary society. Or as Geoffrey Levey puts it, multiculturalism as 'a set of practical policies aimed at harmoniously integrating a culturally diverse society around liberal democratic values.'

Some might say that HREOC's main contribution to this lexicon of multiculturalism would be to show how the norms of multiculturalism share the same ethical imperatives as universal human rights principles:

- such as the right to enjoy one's culture and religion, and
- not to be discriminated against on the basis of one's race or ethnic origin.

This is certainly a task I have undertaken in the position paper.

However, as the position paper also makes clear, we are equally committed to multiculturalism as a policy framework. Within this framework there should be a firm commitment to equal;

employment opportunities, education, health, housing - in fact all those rights that enable us to fully participate in all walks of life.

In this regard I'm in full agreement with the way Malcolm Fraser understands Australian multiculturalism. For Fraser, multiculturalism is about, and I quote:

'...basic human rights, not benevolence, which the giver bestows or withdraws at will. No society can long retain the commitment and involvement of groups that are denied these rights. If particular groups feel that they or their children are condemned, whether through legal or other arrangements, to occupy the worst jobs, the worst housing and to suffer the poorest health and education, then the society in which they live will pay a high price for that division'.

In this society, no preference should be given to one culture or ethnic group above another. This is what multiculturalism is about.

What Fraser also hints at is that multiculturalism is not just a social justice policy, but also a great recipe for social cohesion.

In my view, combating extremism should not mean yielding to the anxieties and fear that fuel racism and racial violence. Rather, it requires a strategy in which the positive effect of multiculturalism plays a central role in providing a rational and democratic antidote against all forms of extremist action.

It is somewhat baffling to me that the previous government, who focused so strongly on security in the age of the 'war on terror', looked with such suspicion at multiculturalism.

Multiculturalism is a policy that supports social inclusion and it is such policies – the 'soft security' approach - that helps reduce the risk of alienation and marginalisation that can occur within such groups which, in turn, fuel extremism from developing amongst at-risk populations.

To its credit, however, the Howard government did work with state and territory governments to introduce the *National Action Plan to Build on Social Cohesion, Harmony and Security* and HREOC is pleased to be one of the lead Commonwealth agencies working under this initiative.

While generally focusing on the issues faced by Muslim communities in Australia – in particular the discrimination, misinformation and fear that have been targeted towards Australian Muslims – the National Action Plan is, nevertheless, a 'whole-of-community' program that aims to build on the kind of social cohesion that is advocated in multicultural policy.

Under HREOC's mandate to promote human rights, and to educate the whole community about such rights, our *Community Partnerships for Human Rights Program* is being delivered under a wide range of national projects.

Many of these projects are being driven in collaboration with Victorian-based organisations. This is a testament to the energy and commitment to multicultural values and social inclusion policies that are often strongly embraced at institutional levels in your state.

Amongst our *Community Partnerships for Human Rights Program* projects are:

- A national report on freedoms of religion and belief,
- A national report on issues for African, and Muslim African, Australians,
- The development of English as a Second Language curricula for new arrivals addressing human rights and discrimination issues,
- A national program in partnership with Community Languages Australia to develop teaching resources, and to conduct a human rights competition with selected ethnic language schools,
- The national Community Police Partnership Projects which will promote positive policing initiatives with Muslim communities at the local level,
- A national roundtable on the inter-section between the *law and religion*,
- Establishment of a new e-portal on cultural diversity issues with a focus on supporting consultation with Muslim communities, and
- A range of community cultural development projects that will be delivered nationally and in collaboration with the Australia Council for the Arts.

Information about these projects, and how to contact the staff administering them, can be found on the HREOC website – look for the education and partnerships sub-pages under 'race discrimination'

Most people acknowledge the multicultural reality of Australian society.

The outgoing Minister for Immigration and Citizenship, Kevin Andrews said at the recent Annual Congress of FECCA, and I quote: 'Australia is a multicultural society, full stop.'

My main issue with that statement at the time was the words 'full stop'. I argued that the full stop should be replaced with a coma. And following the coma there should be a statement of commitment by the government to a policy of multiculturalism affirming the primacy of Australia's Indigenous heritage and upholding the policy principles as set out in the position paper.

Last Saturday Kevin Rudd said in his victory speech:

"I will be a prime minister for all Australians; a Prime Minister for Indigenous Australians; Australians who have been born here and Australians who have

come here from afar and have contributed to the great diversity that is our nation.”

I hope that in saying these words he had in mind reinvigorating the agenda for reconciliation with Indigenous Australians and recommitting Australia to multiculturalism in order to write a new page in our nation’s history.

To close, I would like to take this opportunity to inform you of a campaign that is of great importance to me and one that I have been an Ambassador for since 2005.

November 25 was the International Day for the Elimination of Violence Against Women and this day is marked by Australia as the White Ribbon Day, where all are encouraged to wear a white ribbon as a personal pledge that the wearer does not condone violence against women.

The statistics of violence against women are shocking and as Nicole Kidman, a United Nations Goodwill Ambassador has recently stated that, not only is domestic violence a violation of human rights but it is “becoming a pandemic.....it is perhaps the most widespread human rights abuse violation.”

Violence against women is shaped by poverty and community disintegration, alcoholism and drug abuse, and mental illness. It affects many women, of all ages, all ethnicities and all backgrounds.

The latest statistics reveal that one in 20 women, or over 440,000 of our women were victims of violence. We must all remember that violence has a profound and damaging impact on its victims, the family and the community as a whole.

The White Ribbon Campaign is the first male led campaign to end violence against women in the world. As an Ambassador I advocate for positive, non-violent relationships with women and to build a strong culture in the Australian community that there is no excuse for violent behaviour.

My intention is to urge you all to wear a white ribbon during the month of November to demonstrate your opposition to violence against women and commitment to equality between men and women.

It is also your responsibility, as a peak body or as a member organisation, to assess your organisation’s policies and promote and encourage your members to proactively prevent and address violence against women.

Thank you again for the invitation to address you this evening. I acknowledge the work you do to advocate, protect and promote the interests of your members and to educate mainstream Australia to understand and respect ethnicity and multiculturalism. Finally I wish you all the best of good luck, good fortune and good health in this new era of a fairer and more inclusive Australia.

Thank you